

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MANUEL REZENDEZ )  
Plaintiff )  
v. )  
F/V LEGACY )  
PYRITE INTERNATIONAL INC. )  
And WHALING CITY SEAFOOD )  
DISPLAY AUCTION )  
Defendant )  
)

C.A. NO. 04-10072-JLT

ASSENTED TO MOTION TO REMOVE DEFAULT AGAINST DEFENDANT  
WHALING CITY SEAFOOD DISPLAY AUCTION, INC. AND TO ALLOW IT TO FILE  
ITS ATTACHED ANSWER LATE

Now comes Defendant Whaling City Seafood Display Auction, Inc. with the assent of the Plaintiff Manuel Rezendez moves the Court to remove the default against it and to docket its answer attached hereto.

MANUEL REZENDEZ

By his attorney

David B. Kaplan (BBO#258540)  
David B. Kaplan, Esq. (BBO#258540)  
Kaplan Bond Group  
Boston Fish Pier  
West Building, Suite 304  
Boston, MA 02210  
(617) 261-0080

WHALING CITY SEAFOOD DISPLAY  
AUCTION, INC.

By its attorney

Bertram E. Snyder  
Bertram E. Snyder, BBO#471320  
LOONEY & GROSSMAN, LLP  
101 Arch Street  
Boston, Massachusetts 02110  
(617) 951-2800

Certificate of Service

I hereby certify that on this 5<sup>th</sup> day of March 2004, I served the foregoing Motion to Remove Default and Answer by mailing a copy thereof, postage prepaid, to David B. Kaplan, Esq., Kaplan Bond Group, Boston Fish Pier, West Building, Suite 304, Boston, MA 02210 and Regan & Kiley, attorneys for defendants FV LEGACY and Pyrite International, Inc., 85 Devonshire Street, Boston, MA 02109.



Bertram E. Snyder